

# The Paducah Evening Sun.

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PADUCAH, KY., MONDAY EVENING., MARCH 1, 1909.

TEN CENTS PER WEEK

## STEPHENSON MAY WIN SENATORSHIP THIS AFTERNOON

Report Given Out at Madison That Ministers Are Wrongly Accused.

Indiana Fights Over Local Option Laws.

RECREANT TENN. LAWMAKERS

Madison, Wis., March 1.—It appeared this morning as though the legislature would break the senatorial deadlock and elect Stephenson today.

### Stephenson Case.

Madison, Wis., March 1.—The legislative committee, which is investigating Senator Stephenson's expenses, found they wrongly accused twelve Lutheran ministers of participating in the fund. The committee found checks to 12 ministers and concluded they were for campaign expenses. They now find they were part of a missionary fund Stephenson distributed.

### Fight in Indiana.

Indianapolis, March 1.—A hard fight is on during the week over the local option law. The house voted to repeal the law, but the vote of the senate is very close. The legislature closes this week.

### At Hopkinsville.

Hopkinsville, Ky., March 1.—Eight of the senators who fled from the Tennessee legislature to prevent the passage of election reform laws, are here today. Assistant Sergeant-at-Arms Yearman arrived here but denied that he is endeavoring to induce the others to return.

Banquet for Rev. G. W. Perryman. Knoxville, Tenn., March 1.—The business men and professional men of Knoxville will tender a banquet at the Colonial hotel to the Rev. George W. Perryman, the retiring pastor of the Deadrick avenue Baptist church, who has accepted a call to Norfolk, Va., Monday night.

### Walter Kills Cook.

Chicago, March 1.—Because he cooked two eggs instead of three as ordered, Charles Kelly, a cook in a downtown restaurant, was stabbed and instantly killed by G. C. Marbaugh, the waiter who did the ordering. Marbaugh used a butcher knife, the blade penetrating Kelly's heart.

BISHOP HOSS EXPECTED HOME IN NEXT MONTH.

Nashville, Tenn., March 1.—Advices from Baltimore are to the effect that Bishop Hoss is fast recovering from the recent severe surgical operation, and it is thought he will be able to come home within the next month.

### Cavanaugh Wants Money

Davenport, Iowa, March 1.—John C. Cavanaugh, lumberman, who lost \$37,000 on a fake race, asked the Davenport Safety Deposit company for two tin boxes sent by the Little Rock alleged swindlers. He showed a writ of attachment, but the company refused to turn over the property.

### Chas. Friedrich III

Mr. Charles Friedrich, of 233 North Sixth street, is dangerously ill from a stroke of paralysis, sustained Friday evening and pneumonia setting in Saturday. Mr. Friedrich seemed to be somewhat improved today, although there is not much hope of his recovery. He has not been in good health for several months. The stroke of paralysis affected his left side. Mr. Friedrich has been a resident of this city 40 years and for 30 years has been in the sewing machine business. He is a native of Germany, coming to this country when 19 years old.

### Standard Oil Case

Chicago, March 1.—An effort is being made this morning to complete the jury in the Standard case. It is expected to be completed tonight and the evidence introduced tomorrow. Judge Anderson is making every effort to hasten proceedings.

By agreement of attorneys for the government and the defense, five jurors in the Standard case were dismissed this morning. That leaves seven in the box.

Attorney Miller, for the Standard, commented on the fact that many grocery men were among the venturers. Many of them, it was found on examination, had bought oil from the Standard. Eleven men were in the box this afternoon.

## President Roosevelt Entertains His Tennis Cabinet and Praises Secretary of Interior Garfield

Declares That Men, Who Have Assisted Him, Are Among Best Administrators the Country Ever Had.

Washington, March 1.—President Roosevelt had the members of his tennis cabinet to luncheon today. A number of friends with them gathered in the state dining room. There were 130. Jusserand, the French ambassador, headed the list, and bringing up the rear was John Abernathy, the Oklahoma wolf hunter; Justice Moody, "Bill" Sewall, the Maine guide; Secretaries Bacon, Loebe and Garfield, and Seth Bullock, first sheriff of Deadwood, with whom the president ranched.

The president made a short speech to his guests before eating began the luncheon. He said: "You are here because you represent men with whom I worked while president. No administration ever had better or more loyal service. I do not believe the country ever had abler servants. It was through you, and those like you, I have done the greater part of what has been accomplished."

He particularly mentioned the work of Secretary Garfield.

### Split on Steel Merger.

Washington, D. C., March 1.—The senate judiciary committee, which has been investigating the merger of the Tennessee Coal and Iron company, with the United States Steel corporation, decided today to report a disagreement. Nothing will be done further this session.

### Taft Is Resting.

Washington, March 1.—William H. Taft spent a restful day today, having no engagements. Tonight he will take dinner with the party accompanying him on the Philippine trip. He had a short conference with Knox and others this afternoon.

### Patrick's Nerve

New York, March 1.—Albert T. Patrick, the disabled lawyer, convicted of murder, left Sing Sing today and appeared at the court house in Brooklyn in custody of state detectives, ready to make a strenuous fight for freedom. "If I am guilty of the murder of Rice," he said, "then I should have been executed; if innocent I should have gone free. The action of the governor, who committed the sentence of life imprisonment, is unconstitutional."

## REPORTS OF PUBLIC OFFICES AND OF PUBLIC INSTITUTIONS FOR FEBRUARY

**Burial Permits.**  
City Clerk Maurice McIntyre issued 21 burial permits during the month, 15 being for white persons and six for negroes.

**W. L. D. Stamps.**  
During the month of February 347 wholesale liquor dealers stamps were sold by L. L. Bebout, deputy internal revenue collector and \$9,148.58 was collected.

**Marriage Licenses.**  
St. Valentine's day assisted materially in the number of marriage licenses issued during February. Just 70 hearts were made happy, as there were 35 marriage licenses issued during the month. The first official act of County Court Clerk Eli G. Boone



Light rain tonight and probably Tuesday, warmer central and east portion tonight, colder west portion Tuesday. Highest temperature Saturday, 49; lowest Sunday, 38; highest Sunday, 57; lowest today, 42.

**Stevenson's Plans**  
Chicago, March 1.—It was announced today that former Vice-President Stevenson would retire from politics and devote his time to educational work. It became known that he has accepted the presidency of LaSalle Extension university.

### Pope Slightly Ill

Rome, March 1.—The pope today was slightly ill of cold. He said mass this morning and saw the cardinals. He is expected to be well enough to attend to all the duties of his office soon. One report said he had a slight stroke of heart trouble, but the doctors soon restored him.

**Engineer and Fireman Killed.**  
Findlay, O., March 1.—Engineer George was killed and Fireman Richards fatally hurt, when a C. H. & D. locomotive exploded this morning.

**Mathis Confesses.**  
Paris, March 1.—Mathis, who assaulted President Faillieres, Christmas day, appeared for trial today. Mathis announced that he will allow judgment to be taken by default and with drew the witness he offered.

### Lucky Baldwin Dies

Los Angeles, March 1.—E. J. (Lucky) Baldwin, the noted turfman, died at his home in Arcadia this morning. He was stricken with pneumonia six weeks ago.

Baldwin made his start in a Chicago speculation. He went to California in 1850, where he made an immense fortune in gold mining. He bought large holdings of ranch land and there began his turf career and won four derbies.

### Tobacco Sales

Tobacco sales at Bohmer's loose leaf warehouse this morning were \$5,000 pounds. No rejections. High price was \$9 and low price \$4.40. The market had a good tone and the bidding was strong. Mr. Whalen, of Louisville, and Mr. Murray O'Flynn, of the R. E. Flynn Tobacco company, of Owensboro, were two new buyers on the market this morning.

**Mayfield Receipts.**  
Mr. J. R. Lemon, of the Mayfield Messenger was in the city today. He says tobacco is rolling into Mayfield at a remarkable rate, that local banks paid out \$42,000 to farmers Saturday and the total to be paid on the present crops will be over \$7,000,000.

was to issue a marriage license and he has maintained his record.

**Fire Department.**  
February was a quiet month with the fire laddies and only 14 alarms were received during the month. The only fire of any consequence was the burning of Anderson's livery stable. Most of the fires were small blazes on roofs catching from sparks. The insurance on buildings damaged by fires was \$9,905; insurance on stocks, \$1,750, while the damage to stocks was only \$200.

**With the Police.**  
February, the shortest month in the year, was a busy one for the police, as 140 arrests were made during the month, including five for murder. The arrests were for all of the minor offenses. Fifty calls were answered by the patrol wagon at night while in the day 27 calls were answered. The arrests were: Mail-carrying cutting, 6; breach of peace, 50; attempted robbery, 1; drunk, 16; obtaining money by false pretenses, 4; grand larceny, 5; murder, 5; drunk and disorderly, 18; suspects, 2; concealed weapon, 2; housebreaking, 2; using insulting language, 2; selling liquor without license, 2; loitering, 1; vagrancy, 4; breach of ordinance, 6; flourishing a weapon, 3; disorderly house, 1; refusing to be vaccinated, 2; robbery, 2; immorality, 2; gambling, 2; malicious shooting, 1; violating Sabbath, 1.

**Riverside Hospital.**  
The report for Riverside hospital for February is: City patients Feb. 1—3; private patients, 4; city patients received during the month, 16; private patients, 15; city patients treated, 19; private patients, 19; city patients discharged, 10; private patients, 16; births, 0; death city patients, 1; private patients, 2.

Mr. C. H. Johnson, of Greenville, returned to his home this morning after visiting friends in the city.

## DEFENDANTS DID NOT GO ON STAND IN FUTRELL CASE

Louis Futrell Held Without Bail and Father and Companion Held.

Will Claim Horace Osburn Struck Elder Futrell.

HEARING IN POLICE COURT

Silence that has been maintained by Louis Futrell, the youthful slayer of Horace Osburn, and also the boy's father and companion, who are charged with aiding and abetting him, was unbroken at the examining trial of the accused this morning, none of the defendants taking the stand to offer an explanation of the killing. All three were held to the grand jury, Louis Futrell being held without bail.

The evidence introduced did not vary from that heard at the coroner's inquest, the substance of the witnesses' testimony being that the men became boisterous but in good humor while occupying a room at Osburn's house, and were asked to leave. At the foot of the stairs parties in adjoining rooms heard a scuffle and someone exclaimed "We have stood this thing about as long as we intend to," and Osburn was seen to grab and Osburn staggered into his room and died.

At the conclusion of the evidence of the prosecution, attorneys for the defendants made a motion for the dismissal of the elder Futrell and Petty on the ground that there was no evidence to show that they were more than spectators to the tragedy, but the motion was promptly overruled.

Notwithstanding the refusal of the defendants and their attorneys to talk about the case, it is understood that at final trial the defense will be that the Futrell boy shot Osburn because Osburn attacked and knocked down his father. It is claimed by the defense that there is an eye-witness who has not been located since the killing, who will testify that Osburn struck the elder Futrell before the shot was fired. It was brought out in the examination that J. S. Futrell said when arrested, that "He had no business to strike me."

Judge Cross announced that J. S. Futrell and Petty will be permitted to give bail in the sum of \$5,000. Habeas corpus proceedings have been instituted in behalf of Louis Futrell.

### Steamer Hard Ashore.

New Orleans, La., March 1.—Carrying 45 passengers and a cargo of freight, the United Fruit company's steamer Heredia is ashore at Cape Gracia Bend, near the mainland of Nicaragua. A message states that all passengers are safe as yet and no transfer had been made. Wrecking apparatus is being rushed to the scene from Nicaragua.

### Albritton May Survive

Elmer Albritton, the young man from Mayfield run over by a box car, is resting easy this afternoon at River side hospital. Albritton has a chance to recover now, and his physicians believe that he will survive the shock and loss of blood. Albritton has regained consciousness and said he played pool Friday night until after 7 o'clock and had started home, walking down the tracks to the Union station. He said he did not hear the car until he was struck.

## NO DECISION YET IN CALLOWAY CASE BY THE CHAIRMAN

W. A. Berry, Democratic state central committeeman, has not rendered a decision on the motion for a rehearing of the Calloway chairmanship contest and stated today that another week may elapse before he will have an opportunity to consider the matter. Argument on the motion for a rehearing was heard by Chairman Berry last Friday, at the conclusion of which he announced that he would render a written decision in a few days.

Politicians and the people generally in the Third Judicial district are awaiting the decision with much interest, as it practically will decide whether a primary or convention will be called to nominate a candidate for circuit judge in the district now presided over by Judge Thomas P. Cook.

## All Three Wounds Received by Ed Carmack Were Necessarily Fatal According to Surgeon of Autopsy

X-Ray Fails to Reveal Presence of Ball in Arm of Rob-in Cooper—Contradiction of Sharp's Testimony.

Nashville, March 1.—Contrary to the theory of the defense, Dr. Glasgow, who performed the autopsy on Carmack, testified that the ball which severed Carmack's spinal chord was fired first, ranging upward. The one which penetrated his heart was fired last, as it ranged downward, indicating that it was fired after he had fallen. The defense held to the theory that the bullets which penetrated Carmack's body were fired first, and that the ball which struck him in the back of the neck struck him as he was falling, half turning around.

Nashville, March 1.—More testimony to bear out the contention that the Coopers fired in self-defense was introduced today. Mrs. Kraig, who lives in the Polk flats, swore there were five shots, two together and then a perceptible interval, then three more. This is in line with Robin's testimony. Most of the defense's evidence is now in and expected to be completed by tomorrow.

The defense called Dr. Glasgow, who, under the direction of the state's attorneys, performed the autopsy on the body of Carmack. He declined to testify and the defense asked an order directing him to tell what he knew, so they could swear him. A prolonged argument followed, which ended when the defense agreed to reimburse the state for the money paid Glasgow. Recross was ordered while Attorney Anderson consulted with the doctor. When a half hour later court resumed it was announced that Glasgow was withdrawn and would not be questioned by the defense. Dr. Edwards, who made the X-ray photograph of Robin Cooper's shoulder in an effort to locate the bullet believed to have lodged there, produced the plate he made. It did not show the bullet and he said he believed it had passed through the shoulder and was found by Robin Cooper in his bed.

Later the defense reconsidered and Glasgow was recalled. He described the wounds on Carmack's body. One bullet entered the left side and passed through the heart and came out the right side. Another followed the same course lower down. The third struck his neck, severing the spinal cord.

### The State's Point of View.

The state is making its last fight to get to the jury the fact that Senator Carmack did not anticipate trouble, laughed at the idea and only armed himself to satisfy or humor his alarmed friends. If the court sustains the state and permits the testimony to go in it will lengthen the trial of the case by at least a week, as the prosecution has a score of witnesses on this line alone.

If, however, as he has ruled once and has intimated he will rule again, Judge Hart excludes the testimony the defense will have a great advantage. Attorney-General Garner opened proceedings by asking T. Leigh Thompson:

"Was it a smoky afternoon?"  
"It was a most unusually smoky day. Forest fires had been raging, it was cloudy and there was no wind, so the pall of smoke hung over the city."

"Could you tell or see a blue steel pistol half a block away?"  
"I could not."

The defense objected and the court said the witness could give his opinion.  
"Did you see as you approached any one at the scene of the tragedy?"  
"I saw a group of people indistinctly."

"Could you recognize any of them?"  
"No sir; it was too smoky and dark."

"When you got near to the group did you find any of your friends?"  
"I did."

"But you could not recognize them from the corner of Union street and Seventh avenue?"  
"No sir."

"Would it be possible for anyone to recognize a man standing near the scene of the killing from the corner?" (John Sharp swore that he did.)  
"I do not think so."

The defense objected and the court held that the question should be: "How close to the scene of the tragedy did you have to get before you could recognize anyone?"

The state declined to put it, however, and excused Mr. Thompson for the present.

To Impeach Witnesses.

The aim of the state was to show that it was impossible for the Coopers to recognize Senator Carmack nearly a block away, or for John Sharp to see the tragedy in every detail from the corner, as he swore he did.

The News-Scimitar yesterday said: After digesting the testimony of

## DENOUNCES EWING FOR HIS SPEECH ABOUT OSTRACISM

Calloway County Preacher Does Not Like Un-Christian Method.

Farmers Will Not Pool Tobacco Any More.

MANY MAY DELIVER 1908 CROP

Murray, Ky., March 1.—(Special.)—Felix Ewing and Joseph Washington were roundly denounced for publicly advocating a policy of ostracism as a means of compelling farmers to join the tobacco association by the Rev. H. B. Taylor, pastor of the First Baptist church of this place, in an address to the Baraca Bible class Sunday morning.

The minister declared that the policy of arraying neighbor against neighbor, as was outlined in speeches by the association officials to the growers here county court day, was dangerous and wrong and that God-fearing men should withdraw from the organization if the managers persist in such a course.

In addition to this minister's denunciation of the ostracism policies of Ewing and Washington, many of Christian people have severely criticized Washington for what they considered an appeal to the baser passions of men in the same speech in which the other statements were made for which he is criticised.

### Farmers Indignant.

Notwithstanding the announced determination of the board of directors of the association not to permit any more loose leaf sales of tobacco, the farmers of Calloway county remain obstinate in their demands and a meeting is being planned for Saturday in which their position will be clearly and forcefully set forth. The breaking of the Hopkinsville agreement and the subsequent announcement that there would be no more loose leaf sales has widened the breach in the ranks of the members; the beginning of the end of the organization under the present management is believed to be in sight, for even though a majority of the farmers be forced to deliver their tobacco this year, they will never sign another pledge, especially since the directorate is now demanding three-year contracts.

P. G. M.

### American Sold

Nashville, March 1.—Milton B. Ochs, managing editor of the Chattanooga Times, and brother of Adolph Ochs, of the New York Times, has secured the American and will take charge of it March 10.

### After Night Riders

Mr. Elwood Noel, deputy United States marshal, left this morning for Princeton with a bundle containing about 800 summonses for defendants in suits filed in federal court here against alleged night riders. Today is the opening of circuit court at Princeton and Mr. Noel believes he can find a number of the people he is looking for attending court.

### Royalists Kill Women

Constantinople, March 1.—More than 1,000 non-combatants, including many women and children, were killed by Royalists in the recent fighting around Tabriz, according to statements issued today by the Persian revolutionary commission. An appeal is made to hasten the revolutionists forces to Tabriz, although it is reported the Royalists there are being routed.

### County School Board

For the selection of a location for the county High school, Prof. S. J. Billington, county school superintendent, has issued a call for a meeting of the county school board. The meeting will be held next Saturday morning at 9 o'clock at the county court house. Considerable interest over the county has been awakened over the location of the school and a large number of citizens are expected to attend the meeting. Several of the school trustees are in favor of co-operating with the city High school.

### Chicago Market.

May	High.	Low.	Close.
Wheat	1.17 1/2	1.15 1/2	1.17 1/2
Corn	.66 1/2	.65 1/2	.65 1/2
Oats	.55	.54 1/2	.54 1/2
Prov.	17.07	17.02	17.05
Lard	9.75	9.67	9.75
Ribs	8.95	8.90	8.90